

Many Briefs Submitted To Drug Inquiry

by lynnda mcdougall

The Federal Commission of Inquiry into the Non-Medical Use of Drugs heard testimonies ranging from the advocacy of the immediate abolition of all drug-laws to pleas for no changes in present laws until extensive research can be done.

Commission Chairman Gerald LeDain and Commissioners Ian Campbell, Heinz Lehmann, Marie Bertrand and Peter Stein held public hearings in the Lord Beaverbrook Hotel from 9:30 a.m. to 6:00 p.m. and in the SUB ballroom from 1:00 p.m. to 2:30 p.m. on Thurs., Feb. 19.

The first brief, presented by the Interdepartmental Committee on Drug Abuse of the Province of New Brunswick, recommended that drug misuse be considered as a social problem, not only a legal, medical, or school problem. It advocated that the federal government provide leadership in inservice education programs, including resource people, educational materials, and funds for provincial programs. These programs should emphasize human values and the worth of young people in a modern society. The brief asked that objective studies be supported by the federal government so accurate information backed by adequate research can be used in education programs. The committee felt that the security of drug manufacture, prescription, and distribution should be tightened and that the federal government provide funds and consultative services to provinces for pilot projects involving residential treatment and rehabilitation services.

When queried about the major causes of drug use in the province by Ian Campbell, a committee member cited the urbanization of the province by an influx of students from all parts of the world as the main factor. The Committee had no facts on the extent of drug use or major trends in drug use.

Prof. John Earle presented the Fredericton chapter of the Canadian Civil Liberties Association's brief which states that any law which makes possession or use of any drug an offence is an invasion of civil liberties. "Neither use nor possession of any of the drugs now controlled is in itself, conduct harmful to other people or substantially damaging to society." The brief therefore recommends that possession of a drug should in no case be a criminal offence. Control of marijuana sales could be exercised through a government agency similar to liquor control boards. "In order to get the marijuana user and the marijuana seller out of the criminal sub-culture, the first step is to take the user and the seller out of the class of criminals."

The brief agrees generally with the principle of rehabilitation, but questions this proposition in relation to drugs, "where the convict can make a reasonable case that his conduct should not be criminally proscribed by the principle that it is conduct not substantially damaging to

society, rehabilitation comes to resemble an attempt at indoctrination..."

The association believes that severe sentences such as those imposed on New Brunswick are more damaging to the individual and society than the crimes they are intended to punish, or deter.

The brief recommends the provision for Writs of Assistance which empower police to enter and search dwellings at any time, to seize any object which may be evidence, and to break open all locks, containers and surfaces in the search for narcotics, should be repealed immediately. "The present law is discriminatory in application and an invitation to such abuses as political repression". "Hippies" political radicals, and editors of underground papers are particularly vulnerable to police harassment. "Other undesirable effects of the present legal situation include its impediment of necessary research, its effective elimination of quality control over drugs and its tendency to create situations in which individuals suffer various informal penalties as a consequence of merely associating with people who may use drugs."

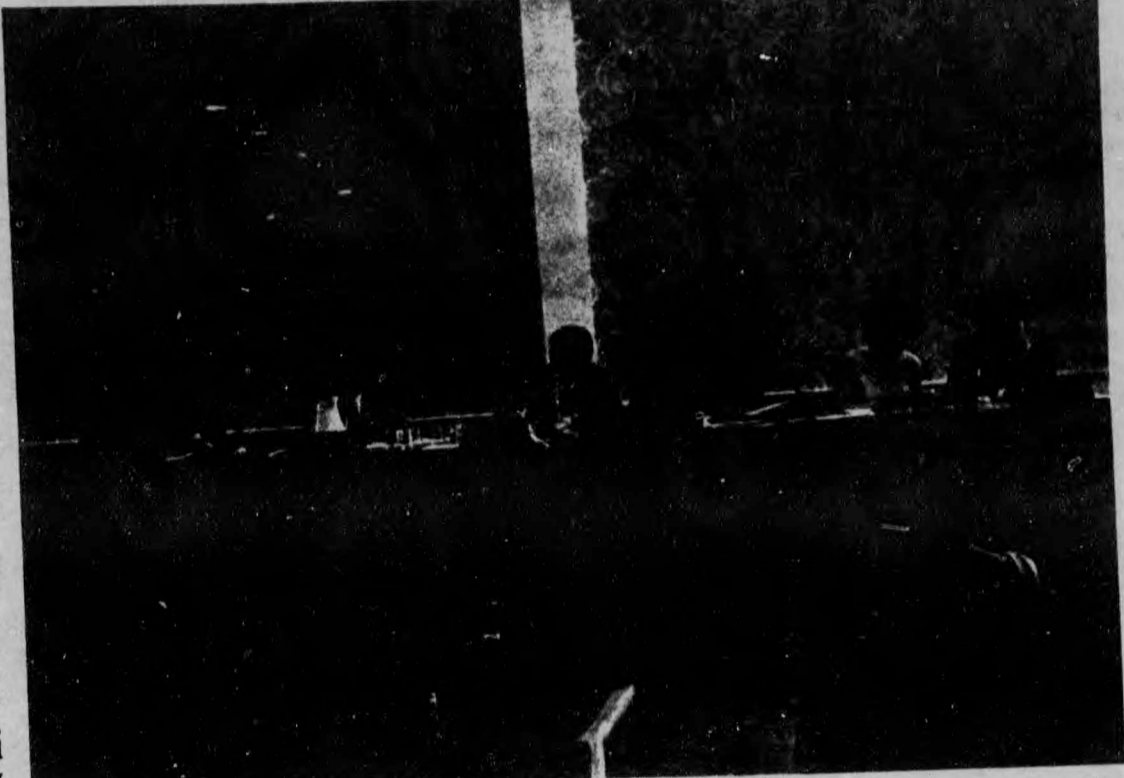
Dr. Eric Jamieson, head of University medical services spoke, "as an individual" on the medical aspects of drugs. He advocated the removal of marijuana from the Narcotic Control Act since "marijuana in no way fulfils the criteria of a narcotic." He had not decided in his own mind whether it should be legalized or not. Dr. Jamieson cited a recent American study which concluded that a person who was high on grass had better control of a car than a person intoxicated on alcohol.

He criticized the N. B. Medical Association for not attempting to educate doctors on the drug question and noted that Victoria Public Hospital had inadequate facilities and no definitely trained psychiatric staff.

"The Boston and Montreal criminal underworlds are fighting for the Maritime drug market," the doctor said quoting the RCMP as his source of information. The remark drew laughter from the audience.

John Smith, vice-president of the STU SRC and president of the STU Young Progressive Conservative Party deplored the absence of "so-called concerned parents" in the audience, and condemned the police for some methods they used in apprehending drug users. He said he knew two undercover agents on campus personally. Smith blamed the increased drug use in the high school on students look up to people in university and the university makes drugs more readily available. Smith was concerned with the stiff jail sentence for first offenders in N.B. and asked for a uniform base for sentencing across Canada.

Tom Simms, of the STU Education Department emphasized the freedom of the individual to use drugs. He



The LeDain Commission Inquiry into the non-medical use of drugs is seen here at the Lord Beaverbrook Hotel. The federal commission headed by Gerald LeDain (center) heard testimony and accepted briefs from local residents on Feb. 19. The commission appeared briefly on campus the same afternoon.

Photo by Wallace

recommended that present laws be repealed and that laws responsible to the individual be enacted. He also called for a moratorium on drug case sentencing, except in the case of proven physical danger to individuals by drug offenders, until the laws are changed. He stated that the emphasis in drug abuse must shift from the criminal to the competency of the medical profession in treating people who ask for help. Simms also suggested that all drugs be available under government control.

Rev. Ian McLean, a United Church minister, was afraid that if drugs were legalized, young people would take this to mean that drug use was accepted by society. He blamed the increase in drug use on society, people who are losing control of their lives and worshipping a "God of Kicks". Young people are turning to drugs because of a breakdown in communications with the nuclear family.

The NBTA included in their brief a survey conducted in two urban N.B. high schools. The statistical validity of the survey was questioned by the Drug Commission. Teachers interested in participating in the questionnaire volunteered and were then asked to choose five students each who they felt would answer the questions "honestly". The survey attempted to establish the prevalence of drug use and the attitudes of students and teachers towards drugs. The

brief emphasized the need for research and drug education in the schools. It recommended that teachers be given special training on school time, to enable them to participate in drug education programs and that the federal government supply funds for such training. The NBTA suggested that students be involved in the development and operation of the drug education programs.

Richard Hatfield, leader of the N.B. PC Party, speaking personally, stressed the urgent need for more research. He suggested the establishment of a Federal Council of Drug Research. He said he was not happy with the present laws, but was not in favor of the legalization of marijuana at present. He called for consistent application of the law in sentencing procedures. Hatfield stated he believed in the principle of rehabilitation. When questioned, however, he said he would not pressure the Supreme Court of N.B. to change their ruling that the deterrent effect was more important than the rehabilitation of the individual if his party gained power in the province. Nils Vikkander, a sociology professor at STU argued that the present drug laws were unenforceable, eliminated quality control and were a greater danger to the individual than drug use. He recommended that the law cease persecution of a minority group (drug-users) who are

challenging the basic values of Western society. He called for more research and an educational program covering all shades of opinion to be broadcasted on all media. We must start treating young people as people and give them responsibility in decision making, Vikkander stated. He also said we must humanize our institutions, especially the educational system. People must search and question all levels of society from individual experience, utilizing the criticism of the young.

The last brief of the day was presented by Frank Forrester, Chief Probation Officer for the Province of N. B. He made a plea for probation for first offenders in drug cases. Young people should be rehabilitated in the community, not sent to jail. In order to facilitate these suggestions, probation services will have to be expanded. Newfoundland and PEI have no probation service at all.

Forrester also recommended that pre-sentence reports be made mandatory, that an offender should not be given a jail term and probation be erased on the recommendation of the probation officer, that judges should be given training and education about drugs, that drug offences be taken out of the criminal courts, and that an offender be released on parole when he shows he can function in society. Forrester admitted that he would try marijuana "if it was legal."

Texaco Quits College Newspaper

LOS ANGELES (CUP-CPS) - Texaco, Inc., one of the world's largest oil companies, has decided to stop advertising in university newspapers which "engage in rabble rousing and attempt to foster anarchy."

The announcement was made recently by W. V. Lynn Texaco's advertising and sales promotion manager for the United States, who said action has already been taken against several United States college papers, after Texaco reviewed

their content.

Lynn would disclose the name of only one paper, the University at the Irvine campus of the University of California. He said Texaco had received complaints about an issue of the New University which contained the story of the arrest of a local bookstore owner, arrested for allegedly publishing an underground newspaper which urged readers to shop-lift.

The paper also carried an ad for Texaco.

In a letter to a person who complained about Texaco advertising in the paper, Lynn stated Texaco had assumed "that the publication maintains a good moral policy in its editorial and news reporting activities. Naturally, we are quite shocked to find that such is not the case."

Texaco's action is not a violation of free speech, Lynn said. "If we don't like what's in there, we don't have to advertise with papers like that," he said.